



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

DEMETRIUS WRIGHT, on behalf of :
himself and all others :
similarly situated, :

Plaintiff, :

- against - :

BRAE BURN COUNTRY CLUB, INC., :

Defendant. :

- - - - -x

ORDER

08 Civ. 3172 (DC)

CHIN, District Judge

The motion to dismiss is denied without prejudice in light of the amended complaint and the opting in of another former employee.

Defendant shall answer or move by June 27, 2008, and in the meantime, the parties may proceed with discovery.

SO ORDERED.

Dated: New York, New York
May 23, 2008


DENNY CHIN
United States District Judge